

REMARKS

Section 112 Objection

The Office Action rejects claim 4 under 35 U.S.C. 112 second paragraph for insufficient antecedent basis. In response, the Applicant has amended claim 1, adding the required antecedent basis.

Section 102 Rejections

The Office Action rejects claims 1, 5-8, 11, 12, 15 and 16 under 35 U.S.C. 102e as anticipated by Yuyama et al., and rejects claims 1-6, 8, 11, 15, 17-26, 28-30, 33-40, 42-43 and 46-50 under 35 U.S.C. 102e as anticipated by Ilcisin et al. In response, Applicant has amended the claims to describe more clearly the novelty of the present application. The apparatuses of Yuyama and Ilcisin do not provide the functions of the apparatus of the present application. Although the Yuyama and Ilcisin apparatuses include a camera, the camera is an integral part of the communication system, for the purpose of communicating, involving taking a picture with the camera and, simultaneously in an integrated system, sending the image through the communications network. The videophone systems of Yuyama and Ilcisin are links in the long development of their art, but this art is different in both function and purpose from the apparatus of the present invention.

The present invention provides an assembly including a conventional, hand-held, digital camera of the type an ordinary consumer carries around to take pictures (still or motion). The camera itself is not for use in communication. What is described in the present application is a conventional, portable, hand held camera included in a housing with a transceiver. The transceiver, operating independently from the camera, sends and receives messages, but does not

send images of pictures taken by the camera and does not include a camera for that purpose, as do the inventions of Yuyama and Ilcisin. Therefore, both the apparatus and function of the present application are different from those of Yuyama and Ilcisin. In order to clarify this difference, Applicant has amended independent claims 1, 17, 33, and 46 to distinguish over Yuyama and Ilcisin. Applicant believes the claims as amended now recite a novel and useful invention.

Section 103 Rejections

The Office Action rejects claim 1 under 35 U.S.C. 103a as unpatentable over King. Applicant has amended claim 1 to distinguish it from King. Claim 1 now contains the limitation of an “automatic signal transmission apparatus for automatically causing said transceiver to transmit a message request signal to said message center conveying an identification of said camera when said transceiver is turned on.” The King apparatus does not include automatic transmission of a message to a message center, with the message including an identification of the camera of the assembly. It should be noted that identification of the camera is different from identification of the assembly location, etc., such as a phone number. Camera identification according to the present application refers to a model number or alternatively a serial number of the camera or other equivalent identification, and is for the purpose of allowing the message center to direct camera specific information to the customer. The information could include, for example, warranty information or operating information from the camera manufacturer or camera related advertising. Applicant believes that amended claim 1 now distinguishes over King.

Claim 3 is rejected under 35 U.S.C. 103a as unpatentable over Yuyama. In response, Applicant has amended claims 1 and 3 as described above. Yuyama does not describe an

assembly of the type described by amended claim 1, and Applicant therefore believes that claim 3 is novel in adding a further limitation to an allowable claim.

Claims 2 and 4 are rejected under 35 U.S.C. 103a as unpatentable over Yuyama in view of Ilcisin. Claim 2 has been cancelled. As described above, neither Yuyama nor Ilcisin describe the assembly of claim 1 as amended, and since claim 4 depends on claim 1, it is believed to be allowable.

Claims 9-10 are rejected under 35 U.S.C. 103a as unpatentable over Yuyama in view of Ishimaru. Neither Yuyama nor Ishimaru describe the assembly according to amended claim 1, upon which claims 9 and 10 depend. Therefore, in view of the amendments, claims 9 and 10 are believed to be allowable.

Claims 13-14 are rejected under 35 U.S.C. 103a as unpatentable over Yuyama in view of Wilska. Neither Yuyama nor Wilska describe a camera as in claim 1, or an assembly of the camera and transceiver as described in claim 1. The cameras of Yuyama and Wilska are dedicated for special purposes and cannot be used as an independent conventional camera as can the camera of claim 1.

Claims 27 and 41 are rejected under 35 U.S.C. 103a as unpatentable over Ilcisin. In response, Applicant has amended independent claims 17 and 33 upon which claims 27 and 41 respectively depend. Both claims 17 and 33 now contain an independently functional camera, which is therefore not for the purpose of sending pictures over a communications network. This is a significant and non-obvious difference from the device of Ilcisin which has a special purpose camera integrated into a communications system. Since claims 27 and 41 add further limitations to claims 17 and 33 on which they respectively depend, they are now also believed to be allowable.

Claims 31-32 and 44-45 are rejected under 35 U.S.C. 103a as unpatentable over Ilcisin in view of Wilska. As explained above, both Ilcisin and Wilska describe apparatus with special purpose cameras that are integrated into a special purpose system, and these cameras cannot perform the conventional function of the independent camera of claim 17 upon which claims 31-32 depend, and claim 33 upon which claims 44-45 depend. Therefore claims 31-32 and 44-45 are believed to be allowable in adding a further limitation to allowable claims.

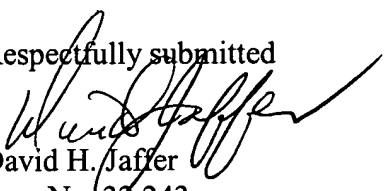
Claims 51-52 are rejected under 35 U.S.C. 103a as unpatentable over Ilcisin in view of Davidsohn. Claims 51 and 52 depend on independent claim 46 which, like the other independent claims, has been amended to clarify the differences between the present application and the prior art. Claim 46 contains an independently functional camera, i.e. independent from the communicating function of the transceiver. The camera of claim 46 is for the purpose of ordinary picture taking and is not dedicated to a special purpose with the rest of the system as in Ilcisin. Neither Davidsohn nor Ilcisin disclose the assembly of claim 46, and therefore claims 51-52 are believed to be allowable in adding a further limitation to an allowable claim.



CONCLUSION

Applicant has amended the claims to clarify the invention and distinguish the claims from the cited references, and believes the claims are now in condition for allowance. If any further questions should arise prior to a Notice of Allowance, the Examiner is respectfully invited to contact the attorney at the number set forth below.

Respectfully submitted

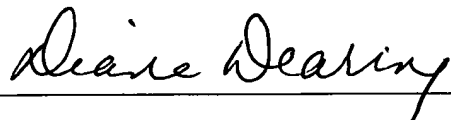

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CERTIFICATE OF MAILING

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APPENDIX

Version with Markings to Show Changes Made

IN THE CLAIMS

The claims are amended as follows:

1. (Once Amended) [A] An integrated digital camera apparatus comprising:
 - (a) a housing;
 - (b) a camera built into said housing, said camera for picture taking as with a separate hand held camera, said camera including image capture [means] apparatus for converting a light image to digital image data;
 - (c) message apparatus built into said housing with message functioning independent of said camera, said message apparatus including
 - (i) [(b)] transceiver [means] apparatus for sending and receiving digital data through a communications network;
 - (ii) automatic signal transmission apparatus for automatically causing said transceiver to transmit a message request signal to said message center conveying an identification of said camera when said transceiver is turned on; and
 - (iii) [(c)] code apparatus [means] for selectively receiving messages sent to said [camera] transceiver by a message center.

Please cancel claim 2.

1 3. (Once Amended) A digital camera apparatus as recited in claim 1 further
2 comprising user activated apparatus [means] for causing said transceiver to transmit a message
3 request signal to said message center conveying an identification of said camera.

1 4. (Once Amended) A digital camera apparatus as recited in claim 1 further
2 comprising [means] apparatus disabling said automatic signal transmission [means] apparatus when
3 a user does not want to receive messages.

1 5. (Once Amended) A digital camera apparatus as recited in claim 1 wherein said code
2 [means] apparatus includes [a unique] identification [for] of a model number of said camera.

1 6. (Once Amended) A digital camera apparatus as recited in claim 1 further
2 comprising first display apparatus [means] including [means] apparatus for displaying said
3 messages, and [means] apparatus for displaying said image.

1 7. (Once Amended) A digital camera apparatus as recited in claim 6 wherein said first
2 display [means] apparatus is an LCD display located on a back side of said camera apparatus.

1 8. (Once Amended) A digital camera apparatus as recited in claim 6 wherein said first
2 display apparatus [means] includes a dedicated banner region for display of said messages.

1 9. (Once Amended) A digital camera apparatus as recited in claim 6 further
2 comprising a second display [means] apparatus for displaying said messages.

1 10. (Once Amended) A digital camera apparatus as recited in claim 9 wherein said
2 second display apparatus [means] is a display observable through a viewfinder of said camera.

1 11. (Once Amended) A digital camera apparatus as recited in claim 6 further
2 comprising interactive message response [means] apparatus for responding to a question received in
3 a message from said message center.

1 12. (Once Amended) A digital camera apparatus as recited in claim 11 wherein said
2 interactive message response [means] apparatus enables a user to selectively store, delete and skip a
3 message.

1 13. (Once Amended) A digital camera apparatus as recited in claim 11 wherein said
2 first display [means] apparatus includes a touch screen, and said interactive message response
3 [means] apparatus is activated by implementation of said touch screen.

1 14. (Once Amended) A digital camera apparatus as recited in claim 11 wherein said
2 interactive message response [means] apparatus is activated by physical buttons external to said first
3 display [means] apparatus.

1 15. (Once Amended) A digital camera apparatus as recited in claim 5 further
2 comprising audio [means] apparatus in the form of a speaker for playing said messages [on said
3 digital camera].

1 16. (Once Amended) A digital camera apparatus as recited in claim 15 wherein said
2 messages can be interactively replayed, stored and skipped.

1 17. (Once Amended) A digital camera message system comprising:

2 (a) a message center [means] including

3 (i) [means] apparatus for collecting, preparing and sorting messages to
4 be sent to a transceiver in an assembly including a digital camera;
5 [and]

6 (ii) first communication [means] apparatus responsive to reception of a
7 message request signal conveying a camera identification for
8 transmitting messages to said [camera] transceiver; and

9 (b) [a digital camera including] an integrated hand held assembly including

10 (i) a housing;

11 (ii) a camera built into said housing, said camera including image
12 capture [means] apparatus for converting a light image to digital
13 image data;

14 [(ii)] (iii) [second communication means] transceiver apparatus for
15 sending and receiving data through a communications network, said
16 transceiver apparatus not including said camera;

17 [iii] (iv) code [means] apparatus including [means] apparatus responsive
18 to a code for selectively processing messages sent to said camera;
19 and

20 (v) [(iv)] automatic signal transmission [means] apparatus for
21 automatically causing said [second communications means]
22 transceiver apparatus to transmit a message request conveying an
23 identification of said camera when said [camera] transceiver
24 apparatus is turned on.

1 18. (Once Amended) A digital camera message system as recited in claim 17 wherein
2 said message center [means] includes a capability to send a selected message to a specific said
3 [camera] assembly based on said code.

1 19. (Once Amended) A digital camera message system as recited in claim 17 wherein
2 said message center [means] further includes a capability to send a message simultaneously to a
3 plurality of [cameras] assemblies by transmitting a corresponding particular said code.

1 20. (Once Amended) A digital camera message system as recited in claim 17 wherein
2 said message center [means] further includes a capability to prioritize messages as part of a single
3 packet of multiple said messages.

1 21. (Once Amended) A digital camera message system as recited in claim 17 wherein
2 said assembly [digital camera] further includes means for disabling said automatic signal
3 transmission apparatus [means] when a user does not want to receive messages.

1 22. (Once Amended) A digital camera system as recited in claim 17 wherein said
2 [camera] assembly further includes message display [means] apparatus for displaying said
3 messages.

1 23. (Once Amended) A digital camera system as recited in claim 22 wherein said
2 [camera] assembly further includes a system for temporarily storing said messages prior to
3 displaying said messages.

1 24. (Once Amended) A digital camera system as recited in claim 23 wherein said
2 [camera] assembly further includes [means] apparatus for selecting a particular one of said stored
3 messages.

1 25. (Once Amended) A digital camera system as recited in claim 24 wherein said
2 [means] apparatus for selecting [includes] further allows setting said camera to automatically
3 display a list of stored messages sequentially with each message displayed for a set amount of time.

1 26. (Once Amended) A digital camera system as recited in claim 24 wherein said
2 [means] apparatus for selecting includes [means] apparatus for automatically displaying the
3 messages in an order according to a priority assigned by the message center.

1 27. (Once Amended) A digital camera system as recited in claim 22 wherein said
2 message display [means] apparatus is an LCD display located on a back side of said camera.

1 28. (Once Amended) A digital camera system as recited in claim 22 wherein said
2 message display apparatus [means] is viewed through a viewfinder of said camera.

1 29. (Once Amended) A digital camera system as recited in claim 22 wherein said
2 message display apparatus [means] is generated through a speaker located on the camera.

1 30. (Once Amended) A digital camera system as recited in claim 22 wherein said
2 [camera] assembly further includes interactive message response [means] apparatus for responding
3 to a question received in a message from said message center.

1 31. (Once Amended) A digital camera system as recited in claim 30 wherein said
2 interactive message response [means] apparatus is activated by a touch screen.

1 32. (Once Amended) A digital camera system as recited in claim 30 wherein said
2 interactive message response [means] apparatus is activated by physical buttons external to said
3 message display [means] apparatus.

1 33. (Once Amended) A method of communication comprising:
2 (a) preparing a message at a message center for transmission to a transceiver
3 included in a housing containing an independently functional camera;
4 (b) transmitting a message request to said message center by [a] said transceiver
5 [means included in said camera], said message request containing
6 identification of said camera;
7 (c) transmitting said message from said message center to said [camera]
8 transceiver; and
9 (d) displaying said message on a display [means] apparatus.

1 34. (Once Amended) A method [of communication] as recited in claim 33 further
2 comprising:
3 (a) [means for] preparing multiple messages to be transmitted; and
4 (b) assigning priority values to said messages.

1 35. (Once Amended) A method [of communication] as recited in claim 34 wherein said
2 priority values include a length of time to display each said message.

1 36. (Once Amended) A method [of communication] as recited in claim 34 wherein said
2 priority values include an order of display of said messages.

1 37. (Once Amended) A method as recited in claim 33 further comprising disabling said
2 transceiver [means] apparatus to avoid transmitting said message request.

1 38. (Once Amended) A method as recited in claim 33 wherein said display [means]
2 apparatus includes a dedicated banner region for display of said messages.

1 39. (Once Amended) A method as recited in claim 33 wherein said display [means]
2 apparatus includes a separate dedicated display [means] apparatus dedicated for display of said
3 messages.

1 40. (Once Amended) A method as recited in claim 39 wherein said dedicated display
2 [means] apparatus includes a display that is received through a viewfinder of said camera.

1 41. (Once Amended) A method as recited in claim 39 wherein said display [means]
2 apparatus includes an LCD display on a back side of said camera.

1 42. (Once Amended) A method as recited in claim 39 wherein said display [means]
2 apparatus includes a speaker located on the camera.

1 44. (Once Amended) A method as recited in claim 43 wherein said response is
2 activated by physical buttons external to said message display [means] apparatus.

1 45. (Once Amended) A method as recited in claim 43 wherein said display [means]
2 apparatus includes a touch screen and said response is activated by implementing said touch screen.

3 46. (Once Amended) A digital camera message system comprising:

4 (a) a message center [means] including

5 (i) [means] apparatus for collecting, preparing and sorting messages to
6 be sent to [a] an integrated assembly containing a transceiver and an
7 independently functional digital camera, said messages including

8 a) a generic message for transmission to all of a plurality of
9 said [cameras] assemblies;

10 b) an interest group based message for transmission to
11 selected said [cameras] assemblies of a particular interest
12 group;

13 c) a personal message prepared for transmission to a selected
14 one of said [cameras] assemblies; and

15 (ii) [means] apparatus for transmission of said messages to said
16 [cameras] assemblies including

17 a) [means] apparatus for repeatedly transmitting said
18 messages;

19 b) [means] apparatus for including a code, for allowing each
20 said interest group message and each said personal message
21 to be received only by a corresponding selected said
22 [camera] assembly.

1 47. (Once Amended) A digital camera message system as recited in claim 46 further
2 comprising [means] apparatus for continuously sending said messages.

1 48. (Once Amended) A digital camera message system as recited in claim 46 further
2 comprising [means] apparatus for unselectively sending said messages.

1 49. (Once Amended) A digital camera message system as recited in claim 46 further
2 comprising means for sending said messages only when a request arrives from a said [digital
3 camera] transceiver.

1 50. (Once Amended) A digital camera message system as recited in claim 46 further
2 comprising:

3 (a) [a digital camera] , an integrated assembly including

4 (i) an independently functional digital camera including image capture
5 [means] apparatus for converting a light image to digital image data;

6 (ii) [communication means] a transceiver for sending and receiving data
7 through a communications network;

8 (iii) code [means] apparatus including [means] apparatus responsive to a
9 code for selectively receiving said messages sent to a said [camera]
10 transceiver through said network; and

11 (iv) disabling [means] apparatus wherein a user can select to receive or
12 not receive messages.

1 52. (Once Amended) A digital camera as recited in [clam] claim 47 further comprising
2 [means] apparatus for decrypting said personal messages.